

HOUSE FINANCE COMMITTEE

May 3, 2021

1:34 p.m.

1:34:17 PM

CALL TO ORDER

Co-Chair Merrick called the House Finance Committee meeting to order at 1:34 p.m.

MEMBERS PRESENT

Representative Neal Foster, Co-Chair
Representative Kelly Merrick, Co-Chair
Representative Dan Ortiz, Vice-Chair
Representative Ben Carpenter
Representative Bryce Edgmon
Representative DeLena Johnson
Representative Andy Josephson
Representative Bart LeBon
Representative Sara Rasmussen
Representative Steve Thompson
Representative Adam Wool

MEMBERS ABSENT

None

ALSO PRESENT

Representative Laddie Shaw, Sponsor; Josh Walton, Staff,
Representative Laddie Shaw; Representative Ivy Spohnholz,
Sponsor; Representative Jonathan Kreiss-Tomkins, Sponsor;
Representative Sara Rasmussen, Sponsor; Crystal Koeneman,
Staff, Representative Sara Rasmussen.

PRESENT VIA TELECONFERENCE

Lynn Kile, President, Vietnam Helicopter Pilot Association
- Alaska Chapter, Anchorage; Reid Madganz, Self, Kotzebue;
Natasha Singh, General Counsel, Tanana Chiefs Conference;
Norm Wooten, Director of Advocacy, Association of Alaska
School Boards; Sondra Meredith, Administrator, Teacher
Certification, Department of Education and Early
Development.

SUMMARY

HB 19 LIMITED TEACHER CERTIFICATES; LANGUAGES

HB 19 was HEARD and HELD in committee for further consideration.

HB 34 NAMING VIETNAM HELI. PILOTS' MEM. BRIDGE

HB 34 was REPORTED out of committee with a "do pass" recommendation and with one previously published fiscal note: FN1 (DOT).

HB 151 UNEMPLOYMENT BENEFITS FOR COVID-19

CSHB 151(FIN) was REPORTED out of committee with a "no recommendation" recommendation and with one new zero fiscal note from the Department of Labor and Workforce Development.

HB 157 APOC; REPORT REFERENDA/RECALL CONTRIBUTOR

HB 157 was HEARD and HELD in committee for further consideration.

HB 182 EXTEND FISHERY RESOURCE LAND. TAX CREDIT

HB 182 was SCHEDULED but not HEARD.

Co-Chair Merrick reviewed the meeting agenda.

#hb34

HOUSE BILL NO. 34

"An Act naming the Vietnam Helicopter Pilots' Memorial Bridge."

[1:35:05 PM](#)

REPRESENTATIVE LADDIE SHAW, SPONSOR, thanked the committee for hearing the bill. He shared that the topic was close to his heart as he had served two tours in Vietnam. He relayed that as a certified helicopter pilot, he was honored to be invited to be part of the Vietnam Helicopter Pilots Association. He noted that the idea for the legislation had originated with Representative Cathy Tilton, who had

graciously offered to have him carry it. He acknowledged the work done on the bill by Representative Tilton's staff. He read from prepared remarks:

The photo that I'm passing around was taken September 20, 1970, nearly 51 years ago. I talked about these helicopters being a lifeline to my generation. That helicopter is hovering, it had no place to land, typical of the delta and the jungle of Vietnam. That day I lost two of my teammates. That helicopter is medevacing three of my fellow teammates that were wounded. Truly a lifeline. In salute to those helo drivers, I would like to make note of a communication between Ghost Rider 172 and Ghost Rider 174:

Red Hat 6, this is Ghost Rider 172. I'm sorry I won't be there to assist you any more today, my helicopter has been shot and I personally have been gut shot. I have to leave you now. Hang on, good luck.

The radio transmission from the 189th assault helicopter company pilot to an Army captain and his unit fighting the 66th North Vietnamese Regiment, 27 February 1968.

Ghost Rider 172 was hit 20 times in a heavily armed area deep in enemy territory. The aircraft made a forced landing causing moderate damage to the aircraft and to crew members. Ghost Rider 174 had an engine failure and crashed eight miles south. Ghost Rider 172 was of a total loss, fortunately with negative injuries to the crew. Over 12,000 U.S. military helicopters spent 7.5 million hours in Vietnam flying 2 million missions. A total of 5,086 choppers, literally 42 percent were destroyed by enemy fire. Vietnam truly was the introduction of the helicopter operations in wartime.

[1:39:22 PM](#)

Representative Shaw continued to review the bill with prepared remarks:

Many of those helicopters were not only destroyed by enemy fire, they were also destroyed by bad weather, mechanical snafus, and other bad hands that war

routinely deals with those who are sent to fight it. The total among those who flew for a living: 2,000 pilots killed, 2,700 crew chiefs dead. On April 18, 2018, a memorial marker was unveiled at Arlington National Cemetery just outside of Washington, D.C. to honor the young men who gave their lives flying and maintaining the helicopters flown in Vietnam; it was an event three years in the making. I was 22 years old in that picture.

This monument is 22 inches high, 21 inches deep, and 32 inches wide. It was placed in Section 35 along Memorial Drive, not far from the tomb of the Unknown Soldier. As a Vietnam veteran, I want to express my gratitude to the members of the Vietnam Helicopter Pilots Association for their leadership on this issue. For so many reasons, we need to remember the courage and the selflessness of our comrades who paid the ultimate price in service to our country, and I hope we won't take three years to provide this small honor.

[1:41:51 PM](#)

JOSH WALTON, STAFF, REPRESENTATIVE LADDIE SHAW, explained the bill. The bill would rename bridges 1124 and 1889 that span the Matanuska River heading northbound and southbound at mile 30.4 of the Glenn Highway as the Vietnam Helicopter Pilots Memorial Bridge. He referenced photos of the bridge in members' packets. Members' packets also included background on the roles that helicopters and helicopter pilots played in the Vietnam conflict. He shared that it was the first war to use helicopters in a significant way. He noted their effectiveness had been proven in the conflict. He elaborated that the packets contained an academic article and contemporary articles highlighting the heroism of the Vietnam helicopter pilots and some of the challenges they had faced in being recognized post-conflict. He relayed that the bill had the support of Lynn Kile, President of the Alaska chapter of the Vietnam Helicopter Pilots Association. He added that the sponsor had received a letter from the Department of Military and Veterans Affairs Commissioner Torrence Saxe, offering his department's support for the legislation (also included in members' packets). He thanked the committee for its time.

Co-Chair Merrick acknowledged the many courageous things Representative Shaw had done in his lifetime. She thanked him for sharing his personal story.

1:44:18 PM

Representative Thompson thanked Representative Shaw for his service.

LYNN KILE, PRESIDENT, VIETNAM HELICOPTER PILOTS ASSOCIATION - ALASKA CHAPTER, ANCHORAGE (via teleconference), shared that he is a Vietnam veteran. He shared that the organization in Alaska had about 85 pilots and crew members. He noted that according to the national database, there were likely 300 more pilots and crew members in Alaska that had not yet been reached. He thanked the committee for taking up the historical and memorial opportunity. He thanked Representative Shaw and noted that his story was one of many. He stated that it had been a difficult time and the bill was a small token of recognition. He relayed that he had listened to various committee hearings on the bill in the past several years and he had been overwhelmed by the positive response and touching comments.

Mr. Kile highlighted that Alaska is an aviation state with a large military population. He elaborated that many of the returning helicopter pilots and crew members from Vietnam were instrumental in all aspects of building, maintaining, and implementing the state's aviation, transportation, and logistics infrastructure. He stated that the individuals had learned a valuable skill in the jungles of Vietnam and had brought the training home to Alaska. He highlighted that from logistics to medical evacuations, the bill was an opportunity to complete the honor, which other committees had already seen to be a worthy cause. He emphasized that a sign on a heavily traveled route in view of the Gold Star Peak would show a small token of thanks to individuals who were instrumental in building Alaska and to memorialize others who did not return. He noted that Vietnam veterans did not receive a very honorable return. He relayed it was an opportunity to honor their contribution and sacrifice to the country and Alaska. He underscored that the honor was worthy of the individuals' legacy and a historical reminder of the dedication of the landmark on the Matanuska bridge in their honor. He thanked the committee for the opportunity to speak.

Co-Chair Merrick thanked Mr. Kile for his service to the country.

Co-Chair Merrick OPENED and CLOSED public testimony.

[1:47:58 PM](#)
AT EASE

[1:49:24 PM](#)
RECONVENED

Co-Chair Merrick thanked Representative Johnson for passing out co-sponsor sheets to members.

HB 34 was HEARD and HELD in committee for further consideration.

[Note: HB 34 was taken up again at 1:54 p.m. and reported from committee. See below for detail.]

[1:49:46 PM](#)
AT EASE

[1:51:51 PM](#)
RECONVENED

Representative Carpenter requested to take up HB 34 again and report it from committee.

[1:52:13 PM](#)
AT EASE

[1:54:12 PM](#)
RECONVENED

#hb34
HOUSE BILL NO. 34

"An Act naming the Vietnam Helicopter Pilots' Memorial Bridge."

[1:54:32 PM](#)

Co-Chair Merrick noted that Representative Rasmussen had joined the meeting.

Representative Carpenter MOVED to REPORT HB 34 out of committee with individual recommendations and the accompanying fiscal note.

There being NO OBJECTION, it was so ordered.

HB 34 was REPORTED out of committee with a "do pass" recommendation and with one previously published fiscal note: FN1 (DOT).

[1:54:48 PM](#)

AT EASE

[1:56:04 PM](#)

RECONVENED

#hb151

HOUSE BILL NO. 151

"An Act relating to unemployment benefits during a period of state or national emergency resulting from a novel coronavirus disease (COVID-19) outbreak; and providing for an effective date."

[1:56:08 PM](#)

Representative Rasmussen MOVED to ADOPT Amendment 1, 32-LS0704\I.3 (Wayne, 4/26/21) (copy on file):

Page 1, line 8, through page 2, line 3:

Delete "To the extent consistent with federal law, an insured worker who is otherwise qualified to receive a benefit under AS 23.20 (Alaska Employment Security Act) may not be disqualified for failure to comply with AS 23.20.378(a) because of conduct by the insured worker or the employer of the insured worker related to an outbreak of novel coronavirus disease (COVID-19), including conduct involving

- (1) providing care, including medical care, to one or more persons;
- (2) preventing or limiting the spread of COVID-19; or
- (3) preventing or limiting economic loss or harm.

(b) "

Reletter the following subsections accordingly.

Page 2, line 6, following "AS 23.20.375(a).":
Insert "in this subsection, "insured worker" has the
meaning given in AS 23.20.520."

Page 2, line 11:
Delete all material.

Co-Chair Merrick OBJECTED for discussion.

[Note: the following discussion through 1:57 p.m.
inadvertently addressed Amendment 2 (not yet offered).]

Representative Rasmussen explained that the amendment repealed the additional benefit date to September 6, 2021 to align with the current federal date for extended unemployment insurance (UI) benefits. She stated it would cover the state through the tourist season. She recognized the tourism industry would continue to be greatly impacted by the aftereffects of the pandemic. She believed the amendment was a compromise given that many businesses in Anchorage were uncomfortable expanding the UI benefits.

Co-Chair Merrick WITHDREW the OBJECTION.

Representative Josephson OBJECTED.

Representative Josephson asked if the amendment would shorten the period of the benefits from the end of the year to September.

Representative Rasmussen answered that the amendment would align with the federal UI extension date of September 6, 2021.

Representative Josephson requested an "at ease."

1:57:57 PM
AT EASE

1:59:08 PM
RECONVENED

Representative Rasmussen apologized and relayed she had inadvertently been describing Amendment 2 in her previous explanation. She clarified that Amendment 1 would delete the work requirement exemption from the bill. She believed

her office had worked with the bill sponsor's office on the language in the amendment.

Representative Josephson OBJECTED for discussion. He requested time to look at Amendment 1.

[1:59:41 PM](#)

AT EASE

[2:00:15 PM](#)

RECONVENED

Representative Josephson MAINTAINED the OBJECTION.

A roll call vote was taken on the motion.

IN FAVOR: Rasmussen, Thompson, Carpenter, Johnson, LeBon, Ortiz, Merrick

OPPOSED: Edgmon, Josephson, Foster

The MOTION PASSED (7/3). There being NO OBJECTION, Amendment 1 was ADOPTED.

Representative Wool was absent from the vote.

[2:01:37 PM](#)

Representative Rasmussen MOVED to ADOPT Amendment 2, 32-LS0704\I.2 (Wayne, 4/21/21) (copy on file):

Page 2, line 28:

Delete "Section 1 of this Act is"

Insert "Sections 1 and 2 of this Act are"

Page 2, line 29:

Delete all material

Renumber the following bill sections accordingly.

Representative Josephson OBJECTED.

Representative Rasmussen explained that Amendment 2 would repeal the additional benefits date to September 6, 2021 and aligned with the federal extension for UI benefits.

Representative Wool asked if the amendment sponsor would consider splitting the difference and shortening the

extension date to December 6 instead of September 6. He thought extending the state assistance several months would help bridge the gap after federal assistance ended in September. His proposal would give extra dependent assistance for three additional months instead of going to March 31 [2022].

Representative Rasmussen stated that she did not support amending the amendment date. She shared that she had heard from close to 50 businesses in the Anchorage area, mostly in retail and hospitality. She was concerned that extending the benefits through the holiday season would make it even more difficult for businesses to find employees. She remarked that November and December were very busy months for retail and hospitality. She wanted to have something in place for people who were struggling, but she did not want to impact job positions in the \$15 to \$20 per hour range. She did not want to make it too difficult for small businesses to keep their doors open due to lack of personnel during the holidays.

Representative Wool understood and appreciated the comments. He was familiar with the challenge in finding employees. He remarked that Alaska's state unemployment was one of the lowest in the nation. He speculated that someone getting a supplemental from the federal government that expired on September 6 would want to try to find a job. He expounded that if the person could not find a job and they had kids at home, the extension to December would give them an additional \$50 above the state amount per child per week. He did not believe it was a lot of money and it would help make the transition easier after the federal money ended. He stated he may move to amend Amendment 2 by changing the date to December 6.

2:05:16 PM

AT EASE

2:06:57 PM

RECONVENED

Representative Wool MOVED to AMEND Amendment 2. He proposed changing the date on page 2, line 29 to December 6, 2021.

Representative Rasmussen OBJECTED. She relayed that she had learned that many small businesses in her district were

opposed to a longer extension. She believed the September 6 date in the original amendment was a fair compromise.

2:07:47 PM

Representative Wool provided wrap up to conceptual Amendment 1 to Amendment 2. He stated that the additional federal unemployment payments ended on September 6. He pointed out that the bill included an extension to March. He viewed December as the compromise. He stated that September was the same cutoff as the federal government. He highlighted that Alaska was one of the lowest unemployment reimbursement states. He understood the disincentive to go back to work if someone was receiving too much, but he did not believe people would be receiving too much after September 6. He stated there may be people who abused the system, but he noted there were many people who did not who had kids at home and were actively looking for work.

A roll call vote was taken on the motion.

IN FAVOR: Wool, Edgmon, Josephson, Ortiz, Foster

OPPOSED: Thompson, Carpenter, Johnson, LeBon, Rasmussen, Merrick

The MOTION to ADOPT conceptual Amendment 1 to Amendment 2 FAILED (5/6).

2:10:09 PM

Co-Chair Merrick returned to Amendment 2 for consideration.

Vice-Chair Ortiz OBJECTED to the amendment. He understood the anecdotal comments some members had been receiving from their districts; however, the impact of the amendment would be statewide. He stated the committee had heard in public testimony there were large sections of the state that could use the unemployment benefit. He recognized there may be businesses in certain areas that saw themselves as being negatively impacted by the benefits; however, based on testimony, a broader range of people needed the resources and would continue to need them.

Representative Wool stated that if a person did not have children, they would lose any federal subsidy to their unemployment. He remarked that Alaska was at the lowest reimbursement rate, and he did not believe it was a

disincentive to go back to work. He elaborated that if a person had a couple of kids, they would receive \$100 per week. He stated it was not a lot of money and would not prevent people from looking for work. He pointed out that people looking for work needed daycare for their children, which was an added expense. As a small business owner, he was very familiar with the trouble of finding workers. He noted that pre-pandemic the situation was real, and it had been worsened by the pandemic. He remarked that adding the supplemental for a dependent on top of the state's low unemployment reimbursement only brought the amount up to what an average state paid. He did not view the money as a disincentive. He thought extending the benefits several more months was the moderate approach. He thought September may be hard for many people.

Representative Edgmon agreed with the comments by the past two members. He viewed the benefits as a safety net. He stated that based on the testimony heard from the department, it had a rigorous eligibility process. He read from the brochure that once a person opened a claim, they needed to file every two weeks to receive payments and actively looking for jobs. He stated that with respect to the maker of the motion and the reference to businesses, he believed the businesses were all Southcentral based. He pointed out that the issue was statewide in scope. He noted that perhaps schools may not be open in the fall, including in the Anchorage School District. He surmised that the issue came down to a personal legislative philosophy. He stated that if he could help one single mother with children who could not go to school for whatever reason and legitimately needed unemployment, he would vote in that direction. He did not support the amendment.

[2:14:21 PM](#)

Representative Carpenter noted that the amendment did not eliminate help for anyone. He highlighted that the amendment would reduce the benefit from the high levels that resulted from the COVID response. He believed it was necessary to pick a date at some point in time to return to normal. He remarked that there would always be an excuse, reason, or justification to continue spending money. He noted it was a difficult conversation to select a date. He stated it was hard to predict what the conditions would be in September, December, or March. He elaborated that it would be a busy year except for some industries that were

already covered. He did not want to set the busy season going into the winter with a challenge for employment. He believed the amendment included the right timing. He added that the legislature could always come back and readdress the issue if needed.

2:15:43 PM

Representative Rasmussen provided wrap up on the amendment. She noted that a single mom who was not working would qualify for state assistance for many things including daycare and food. She believed if the concern was that Alaska had the lowest UI benefits it should be addressed in a separate bill not related to the Coronavirus pandemic but related to an intent to permanently raise UI. She stressed that the situation was not anecdotal. She underscored that the private sector was struggling, and businesses were closing because they could not find enough personnel. She was concerned the benefits would become an additional state expense when the federal money was gone. She stated the federal money was available through September 6. She highlighted that the Alaska tourism season had predominantly been shut down due to the Center for Disease Control (CDC) and Canadian decisions on borders and cruise ships, which had impacts throughout the state. She agreed with Representative Carpenter about the need to look towards an end date to get back to normal.

Representative Rasmussen referenced statements made by others about a mom who could not put her child in daycare. She emphasized that if there were not any personnel for businesses, there would not be daycare available for people to go to. She recalled testimony from an owner of a large daycare in Southcentral who talked about the difficulty telling families they could not provide care due to a lack in staff. She stated it was a double-sided issue. She reiterated her earlier statements that the amendment was a compromise and aligned with the federal date.

Representative Josephson MAINTAINED the OBJECTION.

A roll call vote was taken on the motion.

IN FAVOR: Carpenter, Johnson, LeBon, Rasmussen, Thompson, Merrick

OPPOSED: Wool, Edgmon, Josephson, Ortiz, Foster

The MOTION PASSED (6/5). There being NO OBJECTION, Amendment 2 was ADOPTED.

2:18:28 PM

Representative Thompson MOVED to ADOPT Amendment 3, 32-LS0704\I.1 (Wayne, 4/20/21) (copy on file):

Page 1, lines 1 - 2:

Delete "during a period of state or national emergency resulting from a novel coronavirus disease (COVID-19) outbreak"

Page 2, lines 3 - 4:

Delete "For the duration of a state or national emergency for an outbreak of novel coronavirus disease (COVID-19), the"

Insert "The"

Page 2, lines 14 - 15:

Delete "DURING NOVEL CORONA VIRUS DISEASE OUTBREAK"

Page 2, lines 16 - 17:

Delete "for the duration of a state or national emergency for an outbreak of novel coronavirus disease (COVID-19),"

Representative Josephson OBJECTED for discussion.

Representative Thompson asked to hear from the bill sponsor about the reason for the amendment.

REPRESENTATIVE IVY SPOHNHOLZ, SPONSOR, spoke to the reason for Amendment 3. She thanked Representative Thompson for introducing the amendment on her behalf. She detailed that her office had worked with the amendment sponsor to remove the reference to the state or national emergency relating to COVID from the legislation after consulting with the department and learning the specific language was unnecessary.

Representative Josephson WITHDREW the OBJECTION.

There being NO further OBJECTION, Amendment 3 was ADOPTED.

Co-Chair Foster MOVED to REPORT CSHB 151(FIN) out of committee with individual recommendations and the accompanying fiscal note.

There being NO OBJECTION, it was so ordered.

CSHB 151(FIN) was REPORTED out of committee with a "no recommendation" recommendation and with one new zero fiscal note from the Department of Labor and Workforce Development.

[2:20:24 PM](#)

AT EASE

[2:21:27 PM](#)

RECONVENED

#hb19

HOUSE BILL NO. 19

"An Act relating to instruction in a language other than English; and establishing limited language immersion teacher certificates."

[2:21:52 PM](#)

REPRESENTATIVE KREISS-TOMKINS, SPONSOR, explained that the bill related to teacher certification. He noted that identical legislation had been offered in the previous legislature. He added that some legislators may recall very similar legislation two legislatures back, which passed by a 40-0 vote. The bill would create a limited teacher's certificate for teachers in the field of immersion language education. He stated there were two sides to the topic. The first was world language education, which he believed people in Southcentral Alaska were very familiar with. He elaborated that the Anchorage School District (ASD) had a diverse, nationally leading program of immersion language education from Japanese to French to Russian. The second side of the utility of the limited certificate was Native language education. He highlighted a Yupik immersion language elementary school in Bethel. He relayed that in the Yukon Kuskokwim (YK) region there was substantial interest in starting other Native language immersion programs around the state. He added that the ASD recently launched a Yupik language immersion program as well.

Representative Kreiss-Tomkins relayed that HB 19 spoke to many of the unique challenges associated with launching and maintaining immersion language programs. He added that the programs were nearly universally popular with parents, educators, school board members, and districts. He stressed it was very difficult within the current certification system to be able to recruit and certify teachers. The bill provided flexibility in the ability to recruit and certify fluent teachers in the languages. He relayed that districts were desperate for the solution proposed in the bill and had been asking for it for years. He hoped the legislature could act and deliver on the promise and demand from teachers and educators on immersion language education.

Representative Josephson stated that the country had many lawfully admitted non-citizens who spoke Spanish, French, German, and Japanese, for example. He asked if the bill would allow them to obtain a teaching certificate that would enable them to teach math, science, history, and other topics.

Representative Kreiss-Tompkins replied that it depended. He explained the answer was no if the person was teaching in the English language, while the answer was maybe if the person was teaching in their "target language" such as Yupik or Russian depending on the regulations promulgated by the Department of Education and Early Development (DEED), which were regulatory powers given to the agency in the legislation. He relayed it would be up to the state board and the Board of Education in order to promulgate whatever sideboards they saw fit in terms of what could be taught. He stated it was conceivable that the entities could see the option as appropriate and if so, the answer to Representative Josephson's question would be yes.

[2:25:44 PM](#)

Representative Josephson believed there was a dearth of fluent indigenous language speakers for some languages in Alaska. He did not believe it was the case for the Yupik language. He shared that he had lived in the Yupik region for three years. He remarked that the committee had recently heard a bill from Representative Andi Story that existed partly because of the concern. He asked if it was currently difficult to find suitable candidates in Alaska to teach classical language programs such as Spanish,

French, and German. He used his alma mater, West High in Anchorage as an example.

Representative Kreiss-Tompkins answered that a Japanese class at West High would not fall under the category of a language immersion program and would fall outside the parameters of the bill. He could not speak to traditional foreign language classes, which were treated differently than immersion language programs.

Co-Chair Merrick noted that Representative Wool had joined the meeting earlier.

Representative LeBon provided a scenario where a high school offered traditional language courses such as Spanish, French, and German, in addition to a non-traditional language such as Chinese. He asked if the student taking Chinese as a substitution for the other languages would receive equal credit if the school district required a language credit for graduation.

Representative Kreiss-Tompkins asked for a repeat of the question.

Representative LeBon complied. He asked if an immersion language course would be considered an elective that was not part of the language requirements for graduation. For example, he asked if a student would still need to take Spanish to meet the language requirement for graduation.

[2:29:30 PM](#)

Representative Kreiss-Tompkins provided context about immersion language programs. He explained that the programs typically started in elementary school in kindergarten. For example, first graders were in a mostly Japanese language environment and often tracked through middle school. He explained that immersion programs typically tapered off at the end of middle school when students were fully fluent in the target language (e.g., Russian, Japanese, Yupik). He elaborated that in high school there may be some maintenance of the language, but they were already fully fluent and were in a normal high school curriculum. He did not know what the ASD did when students entering high school were fully fluent in Japanese. He assumed that because of a student's completion of a Japanese program in

their elementary and middle school years that their foreign language requirements were satisfied for graduation.

Co-Chair Merrick shared that as a mother of a freshman at Chugiak High School, many of the kids from the Spanish immersion class attended the high school and she believed some of their required courses were taken in the foreign language.

Representative LeBon shared that his daughter had been in a Japanese immersion program beginning in elementary school through middle school. He explained that her high school did not have Japanese and she had taken French to fulfill the graduation language requirement. He shared that she had received a university degree in Japanese studies. He was trying to ascertain whether students would receive credit towards the language requirement for graduation. Under a scenario where credit was received, he asked about the standard for proficiency required to earn the credit. He wanted the option available in schools for students to learn a language that may not traditionally be offered, but if the state was granting credit for a foreign language towards graduation, there had to be standards and proficiency met.

[2:32:44 PM](#)

Representative Kreiss-Tompkins thought it was a decision made at the school district level how any given district chose to accord credit for completion of an immersion language program.

Representative LeBon agreed that school boards measured and decided the question. He stated the easy answer for a school board was to provide the traditional language classes and make immersion an elective or after school program, not credited toward graduation.

[2:33:47 PM](#)

Vice-Chair Ortiz thanked the bill sponsor for bringing the legislation forward. He spoke the effort to do what was possible to help preserve Alaska Native languages. He understood that the bill did not address the specific goal. He cited language in the sectional analysis (copy on file) stating that "a person may only receive a limited language immersion teaching certificate if they demonstrate

instructional skills and subject matter expertise sufficient to assure the public that the person is competent as a teacher." He considered the language to mean that a person would have to prove they had the ability to be a teacher and that they could teach some of the different subject matter skills in the language. He asked where the proof would be shown in the process. He asked how it would take place.

Representative Kreiss-Tompkins answered that the specifics would be promulgated by DEED. The bill provided directional guidance codified in statute for the agency to build out a regulatory structure. He thought it may be helpful to the committee to "game out" what certification contemplated by the bill would look like. He elaborated that if a teacher was identified to teach an immersion language program (e.g., a Tlingit language program in Juneau or Ketchikan or an Armenian program in Anchorage) the district would communicate they wanted the teacher, and the school board would have to affirmatively vote to sponsor certification of the teacher. He used Representative LeBon's former experience on the Fairbanks School Board as an example and explained that the board would have to vote to approve the teacher. He elaborated that approval would subsequently be required by the State Board of Education. He relayed there were many hoops and checks the process had to go through.

Representative Kreiss-Tompkins expounded that throughout the process with the superintendent and school board sponsoring the application for licensure and the approval on the state level the questions on a person's instructional skills and subject matter expertise would be adjudicated at each of the levels along the way. He believed there would be ample review. He elaborated that if one of the reviewing entities along the way did not feel good about the licensure application, they would say no. He stated that how the standard would be adjudicated was a very relevant process.

[2:38:01 PM](#)

Representative Wool asked how often the process would take place once approved. He asked if an application would be approved for a period of one year or longer.

Representative Kreiss-Tompkins answered that the initial certificate would be valid for one year as shown on page 2, lines 17 and 18 of the bill. He stated there may be the

option of extension or renewal; it would be up to DEED to determine the issue in regulation.

Representative Wool believed there was currently a similar fast-track certification process for indigenous languages for non-certified teachers.

Representative Kreiss-Tompkins agreed. He elaborated the specific teacher licensure was known as "type M" for indigenous language in a non-immersion format. He explained that the real focus of the bill was on immersion language programs where elementary and middle schoolers were fully immersed in all subjects in the target language. He relayed that the existing type M licensure section also included vocational and technical education. For example, if a person was a skilled welder and the district thought they would do well teaching classes, they could bring the person in to teach. He believed military, arts, and science or education existed under the type M section.

2:40:20 PM

Representative Josephson referenced schools that were broadly considered to be extremely successful such as the Rilke [Schule German] School in Anchorage. He asked for verification that a student could graduate with a high school diploma from Rilke.

Representative Kreiss-Tompkins believed Representative Josephson was accurate.

Representative Josephson hoped the Rilke School offered physics and calculus. He asked how the school hired a German proficient person for the [teaching] positions. He asked if instructors had to prove they were proficient in math and science in addition to German.

Representative Kreiss-Tompkins replied that it would be valuable to hear from the ASD director of the world language program who had been a strong advocate of the policy in the proposed and past legislation. He noted that the director had been through every travail and tribulation to try to keep the immersion language programs staffed. Additionally, staff and leadership at Fronteras [Spanish Immersion Charter School] in Wasilla had shared many anecdotes. He stated that education leaders trying to keep and expand the programs, mostly in response to demand from

parents and students, were sometimes forced to resort to creative and non-ideal means to keep good teachers in the classroom. For example, there could be indefinite or long-term substitutes who had expertise in language and another subject as well. He added that schools often recruited from the countries in question for world language programs. For example, teachers were recruited from Columbia to teach Spanish programs but if there was not the time to get the teacher certificated, they may teach as a substitute. He noted his answer was a composite of anecdotes he had heard over the years. He stated that the situation was kind of a nightmare and the individuals involved could speak more authoritatively on the topic.

[2:43:19 PM](#)

Representative Wool stated his understanding that as students progressed along their educational career that some classes in an immersion school such as physics, chemistry, and calculus may be taught in English.

Representative Kreiss-Tompkins agreed. He recalled that most immersion programs began with a blend between the target language and English. He believed that as students got older and progressed through subsequent grade levels, the proportion of English relative to the target language increased. For example, as students entered middle school, an increasing portion of the day was in English versus the target language as fluency got closer to being achieved. He believed he recalled previous testimony on the legislation that in the immersion language programs, superintendents or principals try to get the fluent teachers to optimize or maximize for their fluency. He believed Russian fluent teachers typically were not teaching English in a Russian language immersion program because it was the value add to the program.

Representative Wool recalled speaking to someone on his local school board after learning about the legislation. He relayed that the person had told him they were having difficulty finding a Spanish or French teacher. He noted that the legislation was for an immersion school. He believed there was a current shortage of language teachers in both immersion and non-immersion schools. He surmised the bill would not address the shortage. He asked for verification that a person from a foreign country who was teacher certified could not apply for a job as a Japanese

teacher in a non-immersion school. He asked for verification that the bill only applied to immersion schools and not traditional high schools that may also need a foreign language teacher.

Representative Kreiss-Tompkins replied that Representative Wool's statements were correct, broadly speaking. He highlighted that the title of the bill indicated that it focused on immersion programs. He did not expect the State Board of Education would approve someone to work as a normal Spanish language teacher at a non-immersion school [as a result of the legislation].

[2:48:01 PM](#)

Co-Chair Merrick moved to invited testimony.

REID MADGANZ, SELF, KOTZEBUE (via teleconference), shared a personal story about his upbringing. He had been raised in Kotzebue after his parents moved from the Lower 48. He relayed that he had left the state to go to college and had returned five years later. He shared that he had worked as staff in the legislature upon his return. He had moved back to Kotzebue and was learning Inupiaq and felt very lucky to be among those who would help revitalize the language. He was talking with friends around the state about their experiences with the education system in the early stages of an effort to help schools better serve students, especially in rural Alaska.

Mr. Madganz relayed that his statements represented his experience, particularly as a former student in Alaska's public schools and working on Native language revitalization. He spoke primarily from the rural Alaskan perspective. He read from prepared remarks:

HB 19 directly addresses what I've come to understand as the most important barrier to greater academic success for rural Alaska students. That barrier is not the size of the school, it's not the inherent intelligence of our children, it's not whatever is going on in the community outside the school walls, it's relevance or more accurately, the lack of it. I was talking to a friend here in town earlier this winter, an elementary school teacher whose curriculum on transportation was instructing her to teach about subways. To teach elementary kids in Kotzebue who have

almost certainly never seen a subway, some of whom may never see a subway. Meanwhile, if she wanted to teach them about snowmachines in her transportation unit, she would have had to draw on her own experience to build that lesson. Is it any wonder then that we see students lose interest in school, then lose interest in learning, then be seen as only one of the underwhelming statistics that we're all aware of when it comes to rural Alaska education? It's a process I saw repeated in classmate after classmate as I went through school here in Kotzebue.

The goal of HB 19 is to change this dynamic by supporting the development of language immersion programs that will offer instruction directly relevant to the experience of rural Alaska students. We know from the experience of schools in our own state, like Ayaprun Elitnaurvik in Bethel, as well as schools in Hawaii, the Lower 48, and around the world, that well-crafted immersion programs offering curricula relevant to their community and students can raise academic achievement and success across the board in every subject for students of any race.

So, what is the barrier to this vision? The biggest one is the lack of teachers. We have teachers with certifications from universities, we have teachers who are rooted in their communities and who know or are learning their language. We have very, very few that are both. So, for any school district a group of community members wanting to start an immersion school, the immediate challenge is how to staff it. The challenge is so daunting that most efforts never get off the ground or require to operate outside the public school system where they struggle to grow and sustain themselves due to funding constraints.

HB 19 tackles this problem head on, offering a realistic and pragmatic path to start and maintain the sorts of immersion schools that have proven so successful here in Alaska and elsewhere. It recognizes that the best preparation for providing a relevant education to our students, especially when that education is delivered through a Native language, is a life in those students' communities, not necessarily a university teacher program in the Lower 48.

HB 19 provides a path for school districts to get those teachers into our classrooms, those teachers most likely to kindle the fire of learning in our students within regulatory parameters established by the Department of Education and the State Board of Education.

I want to end with a quick story. Kotzebue has an Inupiaq immersion school, a tribal school run by the local tribal government named Nikaitchuat Ilisagviat. It serves at various times a set of students from three years old to second grade. It's been in operation for 23 years and for the best of my knowledge has never had state certified teachers because to my knowledge there aren't any state certified teachers who can speak fluent Inupiaq in the Northwest Arctic Borough. The students that attend Nikaitchaut move to public school sometime between first and third grade. When they do, they lead their classes by example, examples of respect, behavior, and leadership. As they move through school, many former Nikaitchaut students often lead their classes in academic performance. This is a small sample, but it's a promise of what we can have more of and what HB 19 can help bring about on a broader scale. Thank you for your time today and I'm happy to answer any questions.

[2:54:39 PM](#)

Co-Chair Merrick OPENED public testimony.

NATASHA SINGH, GENERAL COUNSEL, TANANA CHIEFS CONFERENCE (via teleconference), testified in support of the legislation on behalf of the Tanana Chiefs Conference and the Alaska Regional Coalition, which included four Alaska Native regional nonprofits and one regional tribe including the Tanana Chiefs Conference, Kawerak, Inc., Maniilaq Association, Chugachmiut, and Central Council Tlingit-Haida Indian Tribes of Alaska representing 100 communities and 65,000 Alaskans. She relayed that language diversity in the state provided enrichment. She stated that world languages were great for the economy and indigenous languages held the sciences that developed in this land for over 20,000 years. She elaborated that Native languages are the basis of Native culture and identity.

Ms. Singh furthered that teaching Native languages had proven to increase graduation rates and improve academic achievements. She stated that the bill provided a way to help elevate and preserve Alaska Native languages. She urged the committee to pass the bill.

2:57:10 PM

NORM WOOTEN, DIRECTOR OF ADVOCACY, ASSOCIATION OF ALASKA SCHOOL BOARDS (via teleconference), spoke in support of the bill. He shared that the association had a number of resolutions supporting the preservation of indigenous languages and by extension, any language native to a culture. He communicated that he had hosted a number of foreign exchange students over the years, and he was almost embarrassed to say that native born Americans were almost last in being bilingual. He stated that in nearly every other country, bilingualism was a commonality.

Mr. Wooten stated that regarding indigenous languages, the quickest way to eliminate a culture was to eliminate the language. He detailed that it had come close to occurring in Alaska in the recent past when many indigenous citizens were sent to boarding school and prohibited from speaking their language. He encouraged the committee to support the legislation and pass it from committee. He thanked the committee for the opportunity to testify.

Co-Chair Merrick CLOSED public testimony.

Representative Josephson addressed a question to Sondra Meredith with the Department of Education and Early Development. He referenced a letter of support from Deena Bishop, Superintendent of the Anchorage School District. He noted that at the end of page 1 of the letter she talked about DEED's program enrollment option. He understood the program to require candidates to enroll in a teacher education program at the same time they were teaching. Additionally, Ms. Bishop referred to "type W" limited certificates and noted they require teacher preparation programs. He asked if he should be concerned that everyone else still had to study education for 1.5 years, but the class of people addressed in the bill may not have to fulfill the same requirement.

SONDRA MEREDITH, ADMINISTRATOR, TEACHER CERTIFICATION,
DEPARTMENT OF EDUCATION AND EARLY DEVELOPMENT (via

teleconference), answered there were some examples in current statutes allowing for the situation under the type M certificate including language and culture, ROTC and military science, and vocational education. She explained that the aforementioned subjects had been longstanding allowances in statute. She elaborated that the individual districts had monitored the skills of the individuals under the certificates for a number of years to great success. She believed that while there were traditional pathways [to become a teacher], the certificate in the bill recognized there were other ways to gather the skills outside of the typical university experience.

Representative Josephson referenced testimony by Mr. Madganz where he talked about education a person gathered through experience as opposed to teacher training in the classical sense. He had concern that critics of public schools could say that teachers are not bred, they are born. He asked if his concerns were merited.

[3:03:18 PM](#)

Ms. Meredith believed everyone had the concerns. She thought districts had the concerns even with educators who had gone through the more traditional pathways. She explained that districts remedied the situations internally with induction programs, mentoring, and additional professional development opportunities for teachers. She believed that should a district utilize the particular type of certificate, just like with the type M currently being used, there would be additional supports put in place for educators that had been sponsored through the certificate. She advised that everyone should be concerned with making certain educators working with students possessed the needed skills. She relayed that the certificate in the legislation and the type M certificate recognized the skills could come to an individual in a number of different ways.

Representative Josephson viewed instruction in indigenous language very differently than instruction in foreign languages. He noted much of it had to do with the history of indigenous peoples the United States.

Vice-Chair Ortiz referenced Ms. Meredith's discussion of the similarities between the proposed new way a person could become a certified teacher and the current type M

certificate process. He asked for verification that the intent of the bill was to gear people towards immersion instruction. He believed a person would have to speak the particular language fluently and would need to be able to teach complex mathematical and science subjects. He asked if there may be a difference between the type M certificate process and the new proposed process under HB 19.

Ms. Meredith answered that it would always be a concern. She believed that like the type M certificate for vocational education, there were some very complex things being taught. She elaborated there was expertise in the districts that could determine whether the level of expertise was present in the individual being asked to provide instruction. She stated that the bill would recognize the ability of a district to evaluate the levels of skills in a non-traditional way.

Vice-Chair Ortiz referenced language on page 1 of the bill specifying that a person may only receive a limited language immersion teacher certificate if they demonstrate instructional skills and subject matter expertise sufficient to assure the public that the person was competent as a teacher. He asked if DEED had a vision as to how the demonstration might take place prior to doing the teaching. He stated that theoretically a person would not be teaching prior to having a certificate. He reasoned that somehow instructional skills would have to be demonstrated to someone. He assumed the demonstration would be over a period of time versus a one-hour demonstration in front of a school board.

[3:09:13 PM](#)

Ms. Meredith answered there had been some alternative route programs in Alaska that she had been involved in. She shared that part of the application process had included sample teaching lessons. She elaborated that much of the interviewing and taking references from other entities related to an individual's expertise, would fit into the assurance component. She expounded that potential additional experiences included working with students outside of the school system or possibly as a paraprofessional that had been observed by the district prior to making the request.

Representative LeBon referenced the same sentence in the bill as Vice-Chair Ortiz regarding subject matter and expertise. He provided a scenario where a school district via a school board was recommending the certification for an immersion language instructor. He asked if DEED expected the school district would define whether the language offered would be considered a substitution for the traditional languages offered (e.g., Spanish, French, or German) and whether credit for graduation would be received.

Ms. Meredith replied that the question asked by Representative LeBon was more related to the high school arena. She stated her understanding that most immersion programs tended to end around middle school; however, it would currently be up to the school district to determine whether an indigenous language course would apply towards graduation credit.

Representative LeBon replied that the answer was what he expected. He remarked that his daughter's experience had been Japanese immersion in elementary and middle school. He elaborated that the language had not been offered in high school; therefore, she had taken French.

[3:12:50 PM](#)

Representative Carpenter looked at page 2, Section (f) of the bill related to the extension or renewal of limited language immersion certificates. He remarked that two different paths were being provided, one for a non-Alaska Native language and one for Alaska Native language. He believed the bill addressed cumulative time spent under the certificate for non-Alaska Native languages limited to a total of five years. He stated his understanding that the Alaska Native language certificates may exceed five years. He asked if the bill addressed concerns about the quality of instruction when a traditional university degree or certificate was not required. He wondered if the bill provided a check and balance or review when a certificate was renewed. He saw that it was a requirement for non-Alaska Native languages, but he thought it was something that could potentially slip through the cracks [under the legislation].

Representative Kreiss-Tompkins clarified that the section referred to by Representative Carpenter was in a former

committee substitute. The current version of the bill was the House Education Committee version I, which did not include Section (f) - the section had been removed in the previous committee by unanimous vote.

Representative Carpenter confirmed that the committee was looking at version B of the legislation.

Representative Kreiss-Tomkins shared that the only change in the updated bill version was the exclusion of Section (f). He relayed that the previous legislature did not include Section (f) in the original version of the bill. The section had been added to the bill in the House Labor and Commerce Committee in the last legislature.

Representative Kreiss-Tomkins responded to Representative Carpenter's question. He explained the thought behind the previous inclusion of Section (f) was that it was perhaps a different set of circumstances for Alaska Native teachers and immersion programs, but for world language programs the continual renewal of a limited teacher certificate was not desired. He thought the situation was very unlikely to happen for a variety of reasons. He explained that the limited certificate was a significant pain to go through as it required numerous checks and hurdles. He elaborated that the process required being sponsored by the superintendent, school board, and the State Board of Education and was initially approved for one year only. He did not believe it was very bankable for a person to be hanging their livelihood on such a precarious certification process. He believed there was tremendous incentive for anyone certificated through the process to be working toward traditional certification.

Representative Kreiss-Tomkins relayed that he was very supportive of trying to support immersion programs and the bill had been crafted from a pragmatic perspective with what could achieve stakeholder support and support from the legislature. He was concerned the bill would not go far enough in terms of the crisis facing Native language education. The bill reflected that policymaking was a pragmatic process. He elaborated there were myriad incentives, and he did not believe a teacher would be cycling through in that way. He referenced Ms. Meredith's testimony in addition to conversations he had with DEED over the years and did not believe DEED would encourage or countenance someone cycling through in the limited

certificate program for world languages or otherwise. He believed there was significant agency desire to see teachers under traditional certification.

[3:18:59 PM](#)

Representative Carpenter appreciated the answer. He asked about the timeframe in which the limited certificate would be evaluated for recertification.

Representative Kreiss-Tompkins replied that the initial certificate was one year. He explained that a person got an audition or cameo and if it was a failure there was a guaranteed review that would occur within one year. The bill would leave it up to DEED to determine what extensions or recertifications would look like. He stated that part of the reasoning for the one-year certificate was to provide a quick follow up to evaluate how things were going.

Co-Chair Merrick thanked the bill sponsor and relayed the bill would be considered again at a later date.

HB 19 was HEARD and HELD in committee for further consideration.

[3:20:23 PM](#)

AT EASE

[3:20:52 PM](#)

RECONVENED

#hb157

HOUSE BILL NO. 157

"An Act requiring the disclosure of the identity of certain persons, groups, and nongroup entities that expend money in support of or in opposition to an application filed for a state referendum or recall election; and providing for an effective date."

[3:21:04 PM](#)

REPRESENTATIVE SARA RASMUSSEN, SPONSOR, explained that the bill would realign reporting requirements for the Alaska Public Offices Commission (APOC). She explained there was currently disparity between the recall referendum reporting requirements and the initiative process. The bill aligned

the timelines in order to provide increased transparency for the public in all processes.

[3:21:57 PM](#)

CRYSTAL KOENEMAN, STAFF, REPRESENTATIVE SARA RASMUSSEN, provided a sectional analysis (copy on file):

Sections 1: AS 15.13.010(b) - Applicability related to State Election Campaigns. Adds language related to initiative proposal, referendum, and recall applications.

Sections 2: AS 15.13.050(a) - Registration before expenditure. Adds language related to referendum and recall applications.

Sections 3: AS 15.13.065(c) - Contributions. Adds language related to referendum and recall applications.

Sections 4: AS 15.13.110(e) - Filing of Reports. Rewrites the language related to those receiving or making expenditures to support or oppose referendums. This language is identical to the language contained in AS 15.13.040(k) for ballot proposition reporting requirements and AS 15.13.110(g) for ballot initiative reporting requirements.

Sections 5: AS 15.13.110 - Filing of Reports. Adds a new subsection (k) for those receiving or making expenditures to support or oppose a recall. This language is identical to Section 4 of this bill and AS 15.13.040(k) for ballot proposition reporting requirements and AS 15.13.110(g) for ballot initiative reporting requirements.

Sections 6: AS 15.13.400(4) - Definitions. Modifies the definition of "contributions" to include groups and referendum and recall applications.

Sections 7: AS 15.13.400(7) - Definitions. Modifies the definition of "expenditures" to include referendum and recall applications.

Sections 8: AS 15.13.400(7) - Definitions. Modifies the definition of "group" to include referendum and recall applications.

Sections 9: Uncodified law. States that this Act applies only to referendums or recalls that are filed on or after the effective date of this Act.

Sections 10: Provides for a January 1, 2022 effective date.

[3:24:49 PM](#)

Representative Rasmussen noted that there was a current, very public recall for the governor. She relayed that the legislation had support from one of the attorneys involved in the recall, one of her constituents, Mr. Scott Kendall. She noted a letter of support included in members' bill packets. She highlighted there was a legal memo indicating the legislation should not see any legal challenges regarding the First Amendment.

HB 157 was HEARD and HELD in committee for further consideration.

Co-Chair Merrick reviewed the agenda for the following morning.

#

ADJOURNMENT

[3:26:31 PM](#)

The meeting was adjourned at 3:26 p.m.